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Letter dated 15 March 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Cameroon, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

02-29106 (E) 160502

Annex

[Original: French]

Note verbale dated 14 March 2002 from the Permanent Mission of Cameroon to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of the Republic of Cameroon presents its compliments to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and has the honour to submit herewith a report prepared by the Republic of Cameroon pursuant to that resolution (see enclosure).

The Permanent Mission of the Republic of Cameroon to the United Nations takes this opportunity to convey to the Committee the renewed assurances of its highest consideration.

Enclosure

Report submitted by Cameroon to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The people of Cameroon were horrified by the tragic terrorist attacks perpetrated against the United States of America on 11 September 2001.

The disastrous consequences of those horrific acts, images of which were relayed immediately to television viewers the world over, had an immediate effect of not only a surge of horror and fear but also the emergence of a feeling of global solidarity and compassion for those who had experienced those acts directly. The unanimous and vehement condemnation that followed bears witness to the degree of repulsion aroused by such barbarous and unjustifiable acts.

Cameroon, through its President, immediately sent a message of sympathy and solidarity to the American people, resolutely condemning those hateful attacks. That clear-cut condemnation was reaffirmed on many occasions from the rostrum of the United Nations in New York as well as in many other international forums. Special mention was made of it in the final communiqué issued at the end of the third regular session of the Conference of Heads of State of the Central African Economic and Monetary Community (CEMAC), held in Yaoundé from 7 to 9 December 2001. Furthermore, President Paul Biya, in his end-of-year greeting to the diplomatic corps accredited to Yaoundé, spoke at length about the painful events of 11 September and expressed his firm condemnation of them.

Beyond the expressions of condemnation, however, individual and collective action of States is urgently required to deal with the scope and nature of the danger, which has taken an unprecedented form and expression.

In that connection, Cameroon has a general legal framework that enables it to respond to such a situation, pending the adoption of more extensive and specific legislation on terrorism. The Head of State has the possibility of invoking the provisions of article 9 of the Constitution of Cameroon in the event of a serious threat, and the Penal Code of Cameroon provides various punishments for offences whose effects make them similar to acts of terrorism. The legal system of Cameroon has laws, albeit of recent date, to combat terrorism, in particular for the suppression of offences and acts directed against the security of civil aviation. Within the context of the reform of the legal system of Cameroon, it is envisaged that the Penal Code will be amended in order to penalize more specifically those offences that, like terrorism and its various forms and manifestations, are now covered only by association or assimilation with other provisions of the Code.

At the same time, it should be borne in mind that the constitutional principle that allows conventional norms to prevail over domestic law in Cameroon ipso facto gives the provisions of international instruments on terrorism to which Cameroon has already acceded the force of law before the judicial and administrative authorities.

Thus, Cameroon fully supports the codification work being carried out by the United Nations and by regional and even subregional bodies to eradicate terrorism. Furthermore, Cameroon is striving to ensure the implementation of the resolutions

adopted to combat this scourge. It is in this spirit that Cameroon is submitting this report to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, in the question-and-answer style proposed by the Council.

Paragraph 1

Subparagraph (a) — What measures if any have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on 1 (b) to (d)?

Cameroon has legislation enabling it to prevent the financing of activities whose purposes are suspicious.

Act No. 63/4 of 19 June 1963, which provides for the application, in the territory of the Republic of Cameroon, of foreign exchange controls in the franc zone, includes provisions that, while not specifically aimed at terrorist activities, help to prevent the financing of such activities. Violations or attempted violations of the provisions of laws relating to assets abroad and to inventories of such assets are punished and violations or attempted violations of the foreign-exchange regulations are detected, prosecuted and punished. For example:

- All transfers must be justified and authorized in advance; this also applies to loans and investments abroad;
- Economic grounds are decisive in obtaining authorizations for transfers.

Terrorism and the provision, collection or making available of funds referred to in subparagraphs 1(b) to 1(d) are not recognized as economic grounds under the rules governing foreign exchange.

Article 16 of the Act mentioned states that: "Physical and juridical persons who, under the foreign-exchange regulations, are required to declare the foreign assets they hold in the territory of the Republic of Cameroon, may be compelled by officials authorized to investigate violations of the foreign-exchange regulations to justify the existence of such assets at any time." Anyone who is unable to justify the existence of assets by means of declarations, or the disappearance of such assets owing to force majeure, is subject to penalties.

Officials authorized to investigate violations of the foreign-exchange regulations may, within the limits of the law, conduct home visits anywhere, as they deem necessary, in the search of such infractions (article 5).

Furthermore, the Minister for Finance, in his circular letter No. 624/MINF/DCE of 5 November 1983, ordered the directors general of banks to strengthen their monitoring of the execution of transfers. In that connection:

- No derogation is allowed for operations which are subject to foreign exchange controls;
- Other transfers require a prior declaration, as provided in article 3 of inter-ministerial decree No. 269/MINFI/MINDIC/MPT of 5 September 1973;
- Transfers that have no precise purpose shall not be executed;
- Appropriate supporting documents are required for all transfers;

- Banks are required to declare any suspect operation to the monetary authorities, in particular any transfer that is suspicious because of the amount or alleged purpose.

Subparagraph (b) — What are the offences and penalties in your country with respect to the activities listed in this subparagraph?

Currently, with no manifestations of terrorism in the country, the criminal law of Cameroon makes no specific mention of the wilful provision or collection of funds intended for the perpetration of terrorist acts. This in no way means that such acts are tolerated or can go unpunished.

In general, the prohibition and suppression of the financing of terrorist acts in Cameroon would rely on a combination of article 97 of the Penal Code, concerning complicity, and other provisions of the national legislation that punish terrorist acts as such or acts that can be assimilated to such acts.

Under article 97, anyone who:

(a) Incites others in any way to commit an offence or gives instructions for the commission of an offence;

(b) Assists or facilitates the preparations for or the commission of an offence;

is an accomplice to a violation categorized as a crime or an offence.

Paragraph 2 specifies that attempted complicity is considered the same as complicity.

It should be noted that there may be complicity or attempted complicity even when the main perpetrator of the offence enjoys some kind of impunity or is incompetent (a minor, an insane person). Even if the main perpetrator of the offence is acquitted owing to lack of criminal intent, an accomplice can be prosecuted and punished if it can be established that he used the main perpetrator to commit the offence. He then becomes the main perpetrator.

This would be the case if a person placed a bomb in an airline passenger's luggage without the passenger's knowledge.

This would also apply to an animal trained to kill or attack. The trainer simply becomes the main perpetrator.

Finally, this would also apply to someone who helped others in any way (by financial means in particular) to commit terrorist acts.

As for punishment, all perpetrators and accomplices are subject to the same penalty as the main perpetrator (article 98 of the Penal Code).

Under Act No. 63/4 of 19 June 1963, violations or attempted violations of the foreign-exchange regulations are punishable by one month to five years' imprisonment and/or a fine of from 5,000 to 10 million francs CFA.

Besides that penalty, the court is required to order the confiscation of the property involved (the goods, movable or immovable property involved in the offence), whether the offence consisted of a prohibited operation or of a failure to make a declaration, deposit or transfer. If the property is not confiscated, the court

must impose a fine equal to the value of the property involved plus any illegal profit that the criminals made or wanted to make.

Turning to another area, collecting funds through public solicitation requires prior approval by the Ministry of Territorial Administration, which is guided by considerations of whether the proposed operation is in the public interest.

Clearly, appeals to the generosity of the general public in order to collect fund intended to finance terrorist acts could neither be contemplated nor authorized.

Subparagraph (c) — What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.

In addition to sentences entailing deprivation of liberty and fines, certain additional penalties may be imposed (forfeiture, closure of the establishment, and confiscation, under article 19 of the Penal Code), and security measures may be taken to prevent recurrence (a ban on exercising the profession, relegation and measures of surveillance, under article 20 of the Penal Code).

These various measures may be taken to freeze assets held by persons found guilty of terrorist acts. The measures may even entail the closure of financial establishments found guilty of complicity in such acts.

With regard to the closure of the establishment, article 34 of the Penal Code provides that "in cases where the court may order the closure of a commercial or industrial establishment or a professional office used in the commission of an offence, this measure entails prohibition of the convicted person or a third party to whom the convicted person sold, conveyed or leased the establishment or professional office, from exercising, in the same premises, the same trade, the same industry or the same profession."

Article 35 provides that "in the case of a crime or an offence, the tribunal or court may order the confiscation of all property, whether movable or immovable, belonging to the convicted person and its attachment, where it has been used as an instrument to commit the offence or is the product thereof". Articles 118, 119 and 120 of the Penal Code provide for special measures of confiscation when State security is threatened.

Under article 36 of the same code, "prohibition of the exercise of a profession may be imposed on convicted persons for a crime or an offence under general law when it is noted that the offence committed is directly related to the exercise of the profession and that there are serious risks that such exercise will cause the convicted person to repeat the offence ..."

These general provisions may already provide for the freezing — admittedly a posteriori — of assets and accounts.

The National Credit Council and the Central African Banking Commission (COBAC) also offer substantial means of control over assets and accounts.

For its part, the Ministry of the Economy and Finance, as the monetary authority, is competent to decide on the freezing of funds financial assets or economic resources in banks and financial institutions. As already indicated, it

exercises sole power, under Act No. 694 of 19 June 1963, to investigate violations of the foreign-exchange regulations.

Accordingly, a circular dated 14 December 2001 from the Minister of the Economy and Finance was addressed to all credit establishments, to the General Secretariat of the Professional Association of Credit Establishments (APECCAM) and to the National Director of the Bank of Central African States (BEAC).

By this circular, the Minister prescribed the freezing, in local banks, of the financial assets of persons and organizations presumed to have engaged in terrorism. The list of physical and juridical persons considered to be terrorists is enclosed herewith.

In their response, the banks declared that to date they had had no business contacts with terrorists. They are engaged in an effort of solidarity with the Government in order to be doubly vigilant in ensuring the observance of Security Council resolution 1373 (2001) of 28 September 2001.

Moreover, as part of the monitoring of movements of capital and action to combat money-laundering, officials of the Ministry of the Economy and Finance pay three-monthly visits to the banks, and thus the effective implementation of resolution 1373 has now become one of the objectives of this surveillance.

Subparagraph (d) — What measures exist to prohibit the activities listed in this subparagraph?

As soon as the absence of acknowledged economic grounds is established, Cameroonian regulations prohibit nationals or any person or entity in Cameroon from placing funds, financial assets, economic resources, financial services or related services at the disposal of persons implicated in terrorist activities.

In other words, while awaiting the adoption of a specific text on this point, it is possible, through exchange control and the monitoring of capital movements, to satisfy the concerns of subparagraph (d).

Paragraph 2

Subparagraph (a) — What legislation or other measures are in place to give effect to this subparagraph? In particular, what offences in your country prohibit (i) recruitment to terrorist groups and (ii) the supply of weapons to terrorists? What other measures help prevent such activities?

Although the current context requires specific legislation concerning offences relating to terrorism, the Penal Code contains provisions enabling such offences to be suppressed. This applies to:

- *any association of malefactors*: (suppression of conspiracy under articles 9 and 95). Under article 9 of the Penal Code, "a conspiracy exists when the intention to commit an offence is concerted and decided upon by two or more persons ... The conspiracy to commit a crime or an offence — unless suspended or unless it had no effect, owing to circumstances independent of the will of the authors — is itself regarded as a crime or an offence".

– *dangerous preparations*: article 248 of the Penal Code imposes "a term of imprisonment of 20 days to one year on any person who, with a view to committing a crime or an offence, carries an instrument that could be used to force the door of a building. This purpose is always presumed when such acts are committed at night".

– *vagrancy*: under the terms of article 247 of the Penal Code, "any person shall be regarded as a vagrant and punished with imprisonment of six months to two years who, having been found in a public place, can show no evidence of a specific domicile or means of subsistence. The penalties are doubled:

  • if the vagrant is found to be carrying arms or an instrument that could be used to commit an offence;

  • if the vagrant has committed or tried to commit any act of violence whatsoever against persons".

– *armed bands*: article 115 of the Penal Code imposes life imprisonment on any individual who, with the aim of fomenting secession, civil war or revolution, or of preventing the public authorities from acting against the authors of such crimes, organizes an armed band or exercises a function or a command of any kind within it or participates with that band in the commission or the attempted commission of such crimes;

– Any individual who has participated in the formation of such band shall be punished with a term of imprisonment of 10 to 20 years;

– Any assembly of at least five persons one of whom is carrying a weapon, whether overtly or covertly, shall constitute an armed band.

As to the possibility that terrorists might be able to acquire firearms, no provision in Cameroonian regulations relating to firearms enables this eventuality to be envisaged.

In fact, arms and munitions classified as "war materiel" are governed by special regulations that concern primarily the national defence forces, which alone are authorized to be equipped with such materiel, in the context of the sovereign mission to protect the integrity of the national territory devolved upon the Cameroonian State under its constitution, the law of nations, and international customs.

With regard to firearms that use the explosive force of gunpowder, the acquisition (import, sale or transfer), possession or carrying thereof in a personal capacity, as well as the establishment of private depots of arms and munitions for commercial use, including hunting, shall be governed by the provisions of Decree No. 73/658 of 22 October 1973. As a general rule, the regime applicable here is that of authorization issued by the administrative authority (art. 5). Such prior authorization shall be granted only to persons reputed to be of good moral standing, following inquiries conducted by specialized services. In the case of private depots of arms and munitions for commercial use, regular monitoring of stocks — which shall bear a mark — is carried out once every three months, whether in stores or in repair workshops.

The Cameroonian specialized services also maintain a register of arms in the possession of foreign nationals.

Article 20 of the aforementioned decree provides, without prejudice to the application, where necessary, or articles 237 and 238 of the Penal Code and the relevant provisions of the Customs Code, for the suppression of offences against the regulations thereby instituted. The penalty may consist of a fine, a term of imprisonment or confiscation of the weapon unlawfully possessed.

Subparagraph (b) — What other steps are being taken to prevent the commission of terrorist acts, and in particular, what early warning mechanisms exist to allow exchange of information with other States?

Various measures have been adopted by our security services to prevent the commission of terrorist acts. Among them, the following may be cited:

- Assessment and surveillance of sociological structures and groups that might serve as fertile soil or a focal point for terrorist activities;
- Guarding of sensitive points;
- Identification of non-residents;
- Reinforcement of routine control of identification cards and travel documents with particular emphasis on frontiers;
- Creation and formation of specialized units in the fight against terrorism;
- Strengthening of security at airports;
- Escorting of convoys along routes that may be subject to threats.

With regard to early warning mechanisms for the exchange of information with other States, mention may be made of the dissemination among States in the Central African subregion as well as among States members of the International Criminal Police Organization (Interpol) of information relevant both in the war against transnational organized crime (illicit drugs, money-laundering, arms trafficking, etc.) and in any other field having close links with terrorism. This activity is conducted either by the National Central Bureau of Interpol attached to the Office of the Director-General of Security or by specialized centres in other services.

Subparagraph (c) — What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this subparagraph? It would be helpful if States supplied examples of any relevant action taken.

Act No. 97/012 of 10 January 1997, establishing the conditions for foreign nationals to enter, reside in and depart from Cameroon, and its implementing decree simplify the procedures for refoulement, escort back to the border and expulsion. Also, the police chief of a border post may deny entry into the national territory to any suspicious-looking foreign national, even when the latter is in possession of an entry visa.

Subparagraph (d) — What legislation or procedures exist to prevent terrorists acting from your territory against other States or citizens? It would be helpful if States supplied examples of any relevant action taken.

Desiring to have friendly relations of cooperation and solidarity with other peace-loving States, in accordance with the ideals of the Charter of the United Nations and that of the Organization of African Unity, and respectful of the principles of the law of nations, Cameroon could not allow its territory to serve as a "rear base" for the perpetration of terrorist acts against other States or against the nationals of those States. Indeed, all foreign nationals residing in Cameroon have the obligation to respect the laws and regulations that are in force and to act with discretion. Several provisions of the Cameroonian Penal Code, mentioned under paragraph 2, subparagraphs (a) and (b), and other legislative provisions mentioned under subparagraph (e) below, allow us to avoid Cameroonian territory being used as a virtual or real sanctuary for terrorist activities.

Subparagraph (e) — What steps have been taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.

Act No. 2001/109 of 18 December 2001 punishes offences and acts against the safety of civil aviation. This act expressly introduces the criminalization of terrorism into the sphere of Cameroonian criminal procedure and law. It also includes specific provisions to combat acts of unlawful interference with the safety of civil aviation. Eleven types of behaviour ranging from hijacking aircraft to the transport of unmarked explosives are now defined as terrorist acts punishable by life imprisonment or the death penalty (articles 4 and 10 of the act).

However, this act deals with only one aspect of terrorist criminality (article 1); owing to its sectoral nature, it is still insufficient. This is why Cameroon is about to enact comprehensive legislation to prosecute and punish terrorism and all its ramifications.

The Penal Code also includes offences corresponding to crimes which are related to the usual motives, manifestations or consequences of terrorist acts, but cannot be prosecuted or punished as terrorism.

These include:

- related offences, punishable as attacks against the internal or external security of the State (damage to buildings, facilities or equipment in order to harm national defence — article 103; revolution consisting in the use of force to modify the constitutional laws or to overturn the political authorities in place — article 114);
- offences punishable within the general framework of attacks on public safety (arson, setting fire to land, sea or air vehicles containing persons, or the explosion of mines — article 227) or property (destruction of buildings, structures, ships or installations — article 316-2);
- indictments allowing punishment of the consequences of acts of terrorism within the general framework of attacks on the physical safety of individuals (articles 275, 276, 277, 278, 279, 280 and 281 of the Penal Code punishing

murder, assassination, serious injury, fatal blows, blows causing serious injury, simple injuries and light injuries).

All these offences are punishable by sentences ranging from the death penalty to life imprisonment or rigorous prison sentences.

In view of their seriousness, several other offences included in this Code or in other laws seem to have been envisaged as being a threat to humanity, in particular:

- piracy (article 292 to 300 of the Merchant Marine Code);
- trafficking of persons;
- slave trading (article 293 of the Penal Code);
- drug trafficking (Act No. 97-19 of 7 August 1997 on drugs and psychotropic substances).

It is worth noting that there is still no Cameroonian jurisprudence on terrorism, owing to the absence of litigation in this sphere.

Subparagraph (f) — What procedures and mechanisms are in place to assist other States? Please provide any available details of how these have been used in practice.

A judicial cooperation mechanism is in effect in Cameroon. Act No. 64/LF/13 of 26 June 1964, modified and supplemented by Act No. 97/010 of 10 January 1997, establishing the extradition system, along with the general judicial cooperation convention (of Tananarive) that links Cameroon to Madagascar and 10 African countries (12 September 1961), bilateral judicial cooperation agreements, particularly with Mali (6 May 1964), France (21 February 1974) and Zaire, now the Democratic Republic of the Congo (11 March 1977), the Interpol agreements, and the United Nations Convention against Transnational Organized Crime signed at Palermo in December 2000, allow for the extradition of offenders who are in Cameroon. These various instruments also offer Cameroon the possibility of playing an effective role in international investigations.

Furthermore, Cameroon signed a cooperation agreement on criminal police matters with seven other Central African States in Yaoundé, in April 1999. Cameroon ratified this agreement by presidential decree No. 2001/274 of 24 September 2001.

By this text, the Central African States, anxious to ensure better protection of the nationals of the countries of the subregion and their property, agree to remedy the institutional and legal shortcomings observed in the area of police cooperation. It provides that the National Central Bureaux (NCB-Interpol) will act as liaison points between the criminal police services of the contracting parties. The latter agree to accept investigation missions of the criminal police of the other contracting parties in their respective territories.

Cameroon is a member of Interpol and uses the organization's mechanisms to achieve the objectives of paragraphs 2 and 3, subparagraphs (f) and (c), respectively.

Subparagraph (g) — How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery etc.?

Since 11 September 2001, controls have been reinforced along all the Cameroonian borders and foreign nationals entering, living in and departing from Cameroon are registered in a special file.

In general, the information received at the borders is immediately processed by the specialized services.

The Cameroonian passport is secure, both in terms of its technical design and through the use of new technologies, while the issuance procedure includes a police investigation that can result in the discovery of false documents.

Entry visas are issued by diplomatic and consular offices. It should be mentioned, however, that the possession of a visa does not automatically give a person the right to enter Cameroon. In any case, special attention is paid to travellers from certain countries.

The granting of visas at the point of entry, which was previously one of the duties of the officers in charge of border posts, is now reserved solely to the Director-General of Security who gives his authorization after appropriate investigation.

National identity cards and foreign residence permits are computerized and the procedure for issuing them includes several investigative stages.

Paragraph 3

Subparagraph (a) — What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this subparagraph?

Subparagraphs (b) and (c)

(b) What steps have been taken to exchange information and cooperate in the areas indicated in this subparagraph?

(c) What steps have been taken to cooperate in the areas indicated in this subparagraph?

Here again, paragraph 2 (f) gives a general idea of the extent of cooperation between Cameroon and other countries in the areas of the exchange of information and the negotiation of bilateral and multilateral agreements or arrangements. In addition to these various legal frameworks and procedures, Cameroonian law, which is based on the relevant international law, and Cameroonian practice in the area of administrative and legal cooperation, authorize the use of the principle of reciprocity even in the absence of a specific instrument.

Subparagraph (d) — What are your Government's intentions regarding signing and/or ratifying the conventions and protocols referred to in this subparagraph?

Cameroon is currently a party to the following seven conventions:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963;
- Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970;
- Convention for the Suppression of Unlawful Acts against the Safety of Civilian Aircraft, signed at Montreal on 23 September 1971;
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;
- International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;
- Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991; and
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988.

In addition, consideration is being given to signing, ratifying or acceding to the following conventions:

- Convention on the Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980;
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, signed at Rome on 10 March 1988;
- Convention of the Organization of the Islamic Conference on Combating International Terrorism, adopted at Ouagadougou on 1 July 1999;
- International Convention for the Suppression of Terrorist Bombings of 15 December 1997;
- International Convention for the Suppression of the Financing of Terrorism of 9 December 1999; and
- Organization of African Unity Convention on the Prevention and Combating of Terrorism, adopted at Algiers on 14 July 1999.

Constitutional procedures for the entry into force of the last three of these conventions may soon be completed.

Subparagraph (e) — Provide any relevant information on the implementation of the conventions, protocols and resolutions referred to in this subparagraph.

The primacy of conventional norms over domestic law has been enshrined in Cameroon's Constitution since the nation's independence, as is clear from article 40 of the Constitution of 4 March 1960. This provision was reinforced in Act No. 96/06 of 18 January 1996 amending the Constitution of 2 June 1972. Article 45 of this Act states that duly approved or ratified international treaties or agreements, once promulgated, take precedence over laws, provided that the other party implements the agreement or treaty in question.

This means that the conventions and protocols on terrorism to which Cameroon is a party are of direct application and may be invoked before the Cameroonian legal and administrative authorities. Thus, these conventions and protocols may be implemented in respect of acts falling within their scope even where the acts have not been defined as crimes under domestic law. Cameroonian law is clear on this point; article 2 of Act No. 65/LF/24 of 12 November 1965 establishing the Penal Code states that norms of international law and duly promulgated and publicized treaties take precedence over that Code and over any other provision of criminal law.

With respect to Security Council resolutions 1269 (1999) and 1368 (2001), Cameroon, following the example of the United Nations, has never wavered in its unequivocal condemnation of all terrorist acts and, consistent with this position, participates in United Nations efforts to prevent and combat terrorism.

Subparagraph (f) — What legislation, procedures and mechanisms are in place for ensuring asylum-seekers have not been involved in terrorist activity before granting refugee status? Please supply examples of any relevant cases.

Cameroon's procedure for determining refugee status ensures that asylum-seekers have not carried out or facilitated the perpetration of terrorist acts or participated in such acts. Each application for asylum gives rise to an investigation carried out separately by various specialized offices.

In certain cases, such as the mass exodus of foreign populations, refugee status may be granted en masse after consideration of the case as a whole. However, this would be a provisional emergency measure until the investigation could be completed and the status of each refugee could be established.

Generally speaking, any application for asylum on grounds other than the granting of refugee status is inadmissible; moreover, it is understood that such status shall be granted only to applicants of good character who do not fall within the scope of the inadmissibility or exclusion provisions of the relevant conventions and other documents which are binding upon Cameroon.

Subparagraph (g) — What procedures are in place to prevent the abuse of refugee status by terrorists? Please provide details of legislation and/or administrative procedures which prevent claims of political motivation being recognized as grounds for refusing requests for the extradition of alleged terrorists. Please supply examples of any relevant cases.

On 23 October 1961, Cameroon became a party to the Convention relating to the Status of Refugees of 28 July 1951. It is also a party to the Protocol relating to the Status of Refugees of 31 January 1967, supplementary to the 1951 Convention, and to the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa of 10 September 1969.

These various instruments contain provisions whose implementation allows the host State not only to screen applicants for refugee status, but also to exercise police powers over refugees' fulfilment of their obligations.

Thus, in Cameroon, no legislation or administrative procedure provides grounds for refusing requests for the extradition of terrorists.

Paragraph 4

Assistance desired

The Government of Cameroon plans to publicize the international instruments on terrorism throughout the national territory, targeting primarily the administrative authorities, remote villages, the legal and military authorities, civil society and the population at large. This operation will be based on an evaluation of human and educational needs which will begin in the very near future as a means of determining what assistance could be requested from the United Nations.

From the purely technological point of view, the specialized offices in Cameroon would like to acquire the latest weapons- and metal-detection equipment for use at both airports and border points. In light of the increasingly sophisticated techniques for the forgery of all types of documents, equipment for the detection of forged documents may also be necessary. When the time comes, the type of United Nations assistance desired in this area may also be evaluated.